

REMARKS

This amendment is in response to the office action dated June 3, 2005 and the Advisory Action dated August 26, 2005. This amendment is a duplicate of the amendment originally filed on August 3, 2005, but not entered due to a requirement for an additional search. It is accompanied by a Request for Continued Examination, along with the appropriate fee, to provide the Examiner the ability to conduct another search for material in the amended claims.

In the office action, claims 1-2, 4-9, 12-20 seventh and 29-59 were rejected. Claims 3, 10-11 and 28 were previously canceled. Claim 15 is canceled by this amendment. Claims 1, 7, 9, 13, 21, 29, 32, 34, 49, 51, 55-56 and 59 are amended. A detailed discussion of each item in the office action follows.

INFORMALITIES

In addition to the items raised by the Examiner in the office action, a minor typographical error was corrected in claim 21. The nature of the amendment will be self-evident when examining the claim.

THE 112 REJECTION

In item 4 of the office action, claims 55 and 56 were rejected under 35 U.S.C. 112, first paragraph. Claims 55-56 were amended in response to this item of the office action. In particular, claims were amended to show the "circuitry" controlling the movable figure in response to commands from software in the computer.

In item 4 of the office action, claim 40 was rejected under 35 U.S.C. 112, second paragraph. Claim 40 was amended in response to this item of the office action as follows: "the additional step of" was amended to read --the additional steps of--.

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THE 102(b) REJECTION

In items 5-6 of the office action, claims 13-14 and 16 were rejected under 35 U.S.C. 102(b), as being anticipated by Tong. Tong teaches a computer controlled toy doll which can move its eyes or mouth. Applicants' invention is a communication device which independently manipulates multiple components in a variety of motions which are intended to communicate information, promotions, urgency, etc. In addition, Applicants' invention allows a variety of movable figures to be interchangeably used with a universal base unit. Further, the universal base unit is designed to independently control the motion of multiple components within the movable figure. Tong neither teaches or suggests a base unit which allows different movable figures to be selectively attached to the computer by attaching them to a base unit. Nor does he teach the use of a base unit that controls individual components of a variety of replaceable movable figures. To more clearly define this difference, claim 13 has been amended to specifically recite the base unit as an element of the claim. Based on the amendment, Applicants' Attorney believes that claim 13, and claims 14 and 16 which depend from claim 13, are clearly not anticipated by Tong.

In addition, due to the amendment to claim 13, claim 15 has been canceled.

In item 7 of the office action, claims 34-36 were rejected under 35 U.S.C. 102(b), as being anticipated by Liu. Liu is an electronic toy which directly attaches to a computer. Liu makes a few comments (column 3, lines 38-41, and column 5, lines 24-25) regarding "tricks" (e.g., sit, wave, etc.). Unfortunately, Liu provides no explanation whatsoever as to how these tricks will be performed or any means or mechanism to perform them. Further, the tricks discussed by Liu are initiated by the child playing with the toy, who tells the toy to perform a trick, and somehow the toy does it. It does not allow the system to convey information to the child. Applicants' invention is substantially different. It is a bidirectional communication device that allows remote entities such as a software program, or third-party on another computer system, to convey information from them to the user via motion. Liu does not teach the ability of

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a movable figure to convey information to the user, it only suggests that the user might tell a doll to perform a trick. Applicants' Attorney believes that it is noteworthy that Lui's claims are limited to the audio portions of the Lui specification, because those are the only portions which are enabling.

To more clearly define claims 34-36 over Liu, independent claims 34 was amended to more particularly described the nature of information transferred to a user from the system. In addition, the claim is also amended to more particularly describe the I/O device as having a base unit and one or more interchangeable mobile figures. These elements do not exist in Liu.

Applicants' Attorney believes that based on the amendments to the independent claims, this basis of rejection has been overcome, and respectfully requests the Examiner to reconsider the rejection with a view toward allowance.

THE 103 REJECTION

In items 8-9 of the office action, claims 1-4, 8, 21-23, 25, 30, 49, 52-54 and 58-59 were rejected under 35 U.S.C. 103, as being unpatentable over Maa in view of Walker.

Walker does not teach or suggest transfer of selectable information via motion. It is a toy which is designed to create an optical illusion by vibrating an object and using strobe lights to create the illusion of motion. There is no suggestion in the Walker specification that the Walker device can be used for information transfer, it is solely a novelty item used to create a strobe based illusion. It is not designed to convey information. Further, it does not teach the base unit adapter which is capable of independently controlling the motion of specific components in the figure. Walker only teaches a toy which has a replaceable figure which is vibrated by circuitry embedded in a handle.

More important, the base in Walker does not do anything to control individual components of the figure. Rather, it merely vibrates the entire figure. In contrast, Applicants' invention allows multiple components of the movable figure to be independently controlled. In addition, Applicants' Attorney believes that because the Walker device is intended to create a handheld toy that provides an optical illusion and nothing more. It is non-analogous art and would not be pertinent to computer I/O devices which provide multimedia bidirectional information flow.

Neither Maa nor Walker teach the use of detachable figures which when interchangeably attached to a base unit with a universal adapter, can transfer information by using the universal adapter to independently control a variety of movable components within each of the movable figures attached to the universal adapter. The universal adapter in Applicants' invention, which creates the ability to both attach removable figures, and to independently control motion of individual components of the movable figure, is not taught or suggested by Maa/Walker.

Regarding claim 1, to more clearly define claim 1 over Maa/Walker, independent claim 1 was amended to more particularly describe the base unit, the universal adapter, the interchangeability of figures with the base unit, and the ability of the universal adapter to independently control the motion of components of the movable figure.

In regard to dependent claims 2-4 and 8, these claims depend from independent claim 1. If claim 1 is allowed, then claims 2-4 and 8 will also be allowable.

Regarding claim 21, the arguments presented above, in regard to claim 1, apply equally here. Claim 21 was amended to more particularly describe the base unit, universal adapter, and the interchangeability of figures with the base unit.

In regard to dependent claims 22-23, 25 and 29-30, these claims depend from independent claim 21. If claim 21 is allowed, then dependent claims 22-23, 25 and 29-30 will also be allowable.

In regard to claim 49, it has been further limited to include interchangeable movable figures which have movable components that are independently controllable by the universal adapter in the base unit.

In regard to dependent claims 52-54, these claims depend from independent claims 1, 21 and 49, respectively. If claims 1, 21 or 49 are allowed, then their respective dependent claims 52-54 will also be allowable.

In regard to claim 55, it has been amended to add additional limitations related to the interface between the base unit, and the movable figures. In particular, limitations have been added to the claims which are directed to the independent control of multiple components within the multiple figure via the universal adapter. The arguments related to Maa/Walker, discussed above, apply equally here.

In regard to dependent claim 58, this claim depends from independent claim 21. If claim 21 is allowed, then dependent claim 58 will also be allowable.

In regard to claim 59, claim 59 has been amended to incorporate several limitations related to universal adapter and the independent control of individual internal components of the movable figure. Applicants' Attorney believes that based on the amendment, claim 59, it is not obvious in light of Maa/Walker, and respectfully requests the Examiner to reconsider the claim with a view toward allowance.

In item 10, claim 29 was rejected under 35 USC 103. Claim 29 was amended to further limit it by adding limitations related to the base unit universal adapter which allows multiple movable components to be independently controlled.

In item 11, claims 5-7 and 24 rejected under 35 USC 103. In regard to claims 5-6, these claims depend from independent claim 1 and intervening claim 4. If claim 1 and 4 are allowed, then dependent claims 5-7 will also be allowable.

In regard to claim 7, this claim has been further limited include the ability to enter the user's voice in a voice library so that the I/O device can output voice data using the user's voice. This is described in paragraph 56 of the specification as originally filed. The references do not teach the substitution or addition of the user's own voice in the voice dataset.

In regard to claim 24, this claim descends from independent claim 21 through intervening claims 22-23. If claim 21 and intervening claims 22-23 are allowed, then dependent claim 24 will also be allowable.

Regarding claim 21, the arguments presented above, in regard to claim 1, apply equally here. Claim 21 was amended to more particularly describe the base unit, universal adapter, and the interchangeability of figures with the base unit.

In item 12, claims 12 and 26 were rejected under 35 USC 103. In regard to dependent claims 12 and 26, these claims depend from independent claims 1 and 21, respectively. If claims 1 and 21 are allowed, then dependent claims 12 and 26 will also be allowable.

In item 13, claims 9 and 51 were rejected under 35 USC 103. As to claim 9, this claim was amended to include further limitations related to the use of the individual user's voice on the user's local I/O device as well as on remote I/O devices.

Regarding claims 51, the arguments, discussed above, relating to Maa/Walker apply equally here. In addition, claim 51 was further amended to include limitations relating to insertion of the user's into the voice dataset. Based on the amendment to claim 51, Applicants' Attorney believes that this basis of rejection has been overcome.

In item 14 of the office action, claim 32 was rejected under 35 USC 103. Claim 32 was amended to implementations related to the output of the user's voice on an I/O device on remote computer.

In item 15 of the office action, claim 19 was rejected under 35 USC 103. Claim 19 depends from independent claim 13. If claim 13 is allowed, then dependent claim 19 will also be allowable.

In item 16 of the office action, claim 33 was rejected under 35 USC 103. Claim 33 depends from independent claim 1. If claim 1 is allowed, then dependent claim 33 will also be allowable.

In item 17 of the office action, claim 15 was rejected under 35 USC 103. Claim 15 is canceled. Therefore, this basis of rejection is moot.

In item 18 of the office action, claim 18 was rejected under 35 USC 103. Claim 18 depends from independent claim 13. If claim 13 is allowed, then dependent claim 18 will also be allowable.

In item 19 of the office action, claims 20 and 31 were rejected under 35 USC 103. Claims 20 and 31 depend from independent claim 13 through intervening claim 18. If claims 13 and 18 are allowed, then dependent claims 21 and 31 will also be allowable.

In item 20 of the office action, claims 37-39 were rejected under 35 USC 103. Claims 37-39 depend from independent claim 34 through intervening claims 35-36. If claims 34-36 are allowed, then dependent claims 37-49 will also be allowable.

In item 21 of the office action, claims 45, 48 and 57 were rejected under 35 USC 103. Claim 57 depends from independent claim 21, and claims 45 and 48 depend from independent claim 34 through intervening claims. If claim 34 is allowed, then dependent claims 45 and 48 will also be allowable.

In item 22 of the office action, claim 40 was rejected under 35 USC 103. Claim 40 depends from independent claim 34 through intervening claims 35-39. If claims 34-39 are allowed, then dependent claim 40 will also be allowable.

In item 23 of the office action, claims 41-44 and 46 were rejected under 35 USC 103. Claims 41-44 and 46 depend from independent claim 34 through intervening claims 35-39. If claims 34-39 are allowed, then dependent claims 41-44 and 46 will also be allowable.

In item 24 of the office action, claim 47 was rejected under 35 USC 103. Claim 47 depends from independent claim 34 through intervening claims 35-39. If claims 34-39 are allowed, then dependent claim 47 will also be allowable.

In item 25 of the office action, claims 27 and 50 were rejected under 35 USC 103. Claim 27 depends from independent claim 21 through dependent claims 22-23, and claim 50 depends from independent claim 49. If claims 21-23, and 49 are allowed, then dependent claims 27 and 50 will also be allowable.

In item 26 of the office action, claim 17 was rejected under 35 USC 103. Claim 17 depends from independent claim 13. If claim 13 is allowed, then dependent claim 17 will also be allowable.

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CONCLUSION

Applicants' Attorney thanks the Examiner for the Examiner's help in prosecuting this invention. In response to the office action, Applicants' Attorney has canceled claim 15 and amended 1, 7, 9, 13, 21, 29, 32, 34, 49, 51, 55-56 and 59. The independent claims have been modified to incorporate limitations related to the universal adapter and its ability to independently control individual components of the movable figure. In addition, other limitations were added throughout the amended claims. Finally, Applicants' Attorney is filing a Request for Continued Examination along with this amendment for the purpose of conducting an additional search. Applicants' Attorney has been careful to avoid the introduction of new matter. Applicants' Attorney believes that all items in the office action dated June 3, 2005 have been addressed, and respectfully requests the Examiner to reconsider the claims, as amended, with a view towards allowance. Applicants' Attorney further invites the Examiner to contact Applicants' Attorney for a telephonic interview at the below listed number if the Examiner believes that prosecution of the application can be furthered by so doing.

Respectfully submitted,

By: 

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